

REMARKS

Applicant respectfully requests reconsideration of the present application in view of the reasons that follow. Claims 4, 6, 7, 13, 18, 36, 53, 55, 65, and 68 have been cancelled without prejudice. Claims 1, 3, 8, 14-16, 19-26, 28-30, 34, 35, 37-46, 48, 50, 51, 56, and 57 have been amended. Claims 1-3, 5, 8-12, 14-17, 19-35, 37-52, 54, 56-64, and 66-67 are now pending in this application.

Claims 1, 56, and 57 have been amended to include some or all of the limitations of claims 14, 18, 19, 38, and 39. The remaining claims have been amended to correct the antecedent basis of various claim elements based on the amendments to claim 1. No new claims have been added and no new matter has been added. As a result, no new search is required by the Examiner.

Rejection under 35 U.S.C. § 103

On page 3 of the Office Action, claims 1-3, 5, 7-12, 14-52, and 54-68 were rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent Publication No. 2001/0049646 (Wilkinson) in view of U.S. Patent Publication No. 2001/0037265 (Kleinberg). Applicant respectfully traverses the rejection. Neither Wilkinson nor Kleinberg disclose, teach, or suggest the claimed invention as recited in claims 1-3, 5, 8-12, 14-17, 19-35, 37-52, 54, 56-64, and 66-67. Applicant also respectfully reserves the right to swear behind Wilkinson and Kleinberg as prior art references.

Claim 1 recites:

capturing data access information associated with what data is accessed by the referral using the provided operations;

forming a profile for the referral that includes the captured data access information;

Claim 56 recites:

means for capturing data access information associated with what data is accessed by the referral using the provided operations;

means for forming a profile for the referral that includes the captured data access information;

Claim 57 recites:

capture data access information associated with what data is accessed by the referral using the provided operations;
form a profile for the referral that includes the captured data access information;

The Examiner has failed to point to any teaching in Wilkinson or Kleinberg of at least the above-referenced claim limitations of claims 1, 56, and 57. Neither Wilkinson nor Kleinberg disclose, teach, or suggest at least the above-referenced claim limitations of claims 1, 56, and 57. Claims 2-3, 5, 8-12, 14-17, 19-35, 37-52, 54, 58-64, and 66-67 depend from claim 1, and thus, are allowable for at least the reasons outlined relative to claim 1. Therefore, Applicant respectfully requests withdrawal of the rejection of claims 1-3, 5, 8-12, 14-17, 19-35, 37-52, 54, 56-64, and 66-67.

Applicant believes that the present application is now in condition for allowance. Favorable reconsideration of the application is respectfully requested. The Examiner is invited to contact the undersigned by telephone if it is felt that a telephone interview would advance the prosecution of the present application.

The Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 C.F.R. §§ 1.16-1.17, or credit any overpayment, to Deposit Account No. 19-0741. Should no proper payment be enclosed herewith, as by a check or credit card payment form being in the wrong amount, unsigned, post-dated, otherwise improper or informal or even entirely missing, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 19-0741. If any extensions of time are needed for timely acceptance of papers submitted herewith, Applicant hereby petitions for such extension under 37 C.F.R. §1.136 and authorizes payment of any such extensions fees to Deposit Account No. 19-0741.

Respectfully submitted,

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